

# JOURNAL OF THE HOUSE.

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Monday, May 12, 2014.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of  
allegiance.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. DeLeo of Winthrop and Donato of Medford) congratulating and commending Clerk/Magistrate Paul Hartnett upon the fiftieth anniversary of his service with the Trial Court; Paul  
Hartnett.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Joseph Thomas Sliney on receiving the Eagle Award of the Boy Scouts of America; Joseph  
Thomas  
Sliney.

Resolutions (filed by Ms. Fox of Boston) recognizing George Neves Leighton on his outstanding accomplishments in his life; George Neves  
Leighton.

Resolutions (filed by Mr. Linsky of Natick) congratulating Steven J. Pagliarulo on the occasion of his retirement as Lieutenant of the town of Natick Police Department; Steven J.  
Pagliarulo.

Resolutions (filed by Mr. Linsky of Natick) congratulating Paul W. Thompson on the occasion of his retirement as Lieutenant of the town of Natick Police Department; and Paul W.  
Thompson.

Resolutions (filed by Mr. Pignatelli of Lenox) recognizing Sandra Newman, the founder of Community Access to the Arts; Sandra  
Newman.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Speliotis of Danvers, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Orders.*

The following order (filed by Mr. Costello of Newburyport) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Monday, June 30, 2014, within which to make its final report on current Senate documents numbered 422, 448, 483, 1912 and current House documents numbered 836, 845, 876, 973, 981, 986 and 989. Financial  
Services,—  
extension of  
time for  
reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Provost of Somerville, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Kaufman of Lexington) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Revenue committee,— extension of time for reporting.

*Ordered,* That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Monday, June 30, 2014, within which to make its final report on current Senate documents numbered 1324, 1327, 1334, 1354 and 1372 and current House documents 2568, 2689, 2695, 2752 and 3840.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Provost of Somerville, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

*Petitions.*

Personal service contracts.

By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero and Eileen M. Donoghue relative to personal service contracts; and the same was referred, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

Domestic workers,— rights.

A Bill establishing the domestic workers bill of rights (Senate, No. 2132) (on the residue of House bill No. 4026), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

**Bills**

Perron, Sullivan and Dona memorials.

Relative to certain designations in the towns of Northbridge, Uxbridge, and Dudley (Senate, No. 1759, amended by adding the following two sections:

“SECTION 2. The intersection of state highway route 122 and Hartford avenue in the town of Uxbridge shall be designated as the Private Edward Sullivan Memorial Square, in honor of Private Edward Sullivan, United States Marine Corps, Recipient of the Congressional Medal of Honor, 1898. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department.

SECTION 3. Bridge # D12026-1XX on state highway route 131 over the Quinebaug river in the town of Dudley shall be designated as the Private First Class Ranger Christopher P. Dona Memorial Bridge in honor of Private Christopher Dona, United States Army, who was killed in a tragic parachuting accident June 13, 2013 at Fort Stewart-Hunter Airfield Base. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department.”; and by striking out the title and inserting in place thereof a new title) (on a petition); and

Woburn,— Officer Robert DeNapoli.

Relative to the disability retirement of Woburn police officer Robert DeNapoli (Senate, No. 2134) (on Senate bill No. 2042) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2131) of Stanley C. Rosenberg and Stephen Kulik (by vote of the town) for legislation to authorize the town of Sunderland to continue the employment of James P. Bielunis as a call firefighter, was referred, in concurrence, to the committee on Public Service.

Sunderland,—  
James P.  
Bielmus.

A petition of Linda Dorcena Forry for legislation to authorize the Massachusetts Water Resources Authority to dispose of certain real property in the city of Boston and to release an easement upon certain real property in the city of Boston, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Boston,—  
Water  
Resources  
Authority  
property.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2139) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

*Reports of Committees.*

Mr. Murphy of Weymouth, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1981; and inserting before the enacting clause an emergency preamble) of the House Bill relative to election laws (House, No. 3788), reported recommending that the House recede from its non-concurrence with the Senate in its amendments and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4072; and that the Senate concur in the further amendment.

Election  
laws.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House; and under said rule, it was placed in the Orders of the Day for the next sitting, the question being, on acceptance.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Paul R. Heroux relative to the prevention of financial exploitation of the elderly. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Elderly  
persons,—  
financial  
exploitation.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill relative to the labeling of seed (House, No. 3996),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Seed,—  
labeling.

Fernald School,—  
former  
residents.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Resolve providing for an investigation and study by a special commission relative to the misclassification and misdiagnosis of former residents of the Fernald state school (House, No. 157, changed in line 12 by striking out the following: “Jan 1, 2011” and inserting in place thereof the following: “January 1, 2015”). Read; and referred, under Joint Rule 29, to the committees on Rules of two branches, acting concurrently.

Child abuse,—  
reporting.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to the reporting of child abuse to local law enforcement officials (printed as Senate, No. 40).

Home care,—  
tax exemptions.

By the same member, for the same committee, on a petition, a Bill to provide an income tax exemption for families caring for their elderly relatives at home (House, No. 80).

Drug  
rehabilitation.

By the same member, for the same committee, on a petition, a Bill to study the need for drug rehabilitation for Department of Children and Families’ clients (House, No. 84).

Adult services,—  
transition.

By the same member, for the same committee, on a petition, a Bill to support the transition to adult services for persons with disabilities (House, No. 87).

Private service  
agencies.

By the same member, for the same committee, on a petition, a Bill relative to ensuring safe staffing levels at private sector human service agencies (House, No. 108).

State facility  
residents,—  
safety.

By the same member, for the same committee, on a petition, a Bill relative to ensuring the safety of residents of facilities under the authority of the Department of Mental Health and the Department of Developmental Services (House, No. 110).

Disabled,—  
protection.

By the same member, for the same committee, on House, Nos. 103 and 105, a Bill relative to the authority of the disabled persons protection commission pursuant to Chapter 19C (House, No. 4066).

Human  
services.

By the same member, for the same committee, on House, Nos. 156 and 2839, a Bill to reinvest savings for the financial health of the human service system (House, No. 4068).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Special  
education,—  
funding.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to special education funding (House, No. 96).

Families,—  
self-  
sufficiency.

By the same member, for the same committee, on Senate, No. 35 and House, No. 114, a Bill regarding pathways to family economic self-sufficiency (House, No. 114).

Developmental  
disabilities,—  
unmet needs.

By the same member, for the same committee, on a petition, a Bill creating a means for tracking the unmet need of individuals with developmental disabilities in the Commonwealth of Massachusetts (House, No. 149, changed in line 6 by striking out the words “Mental Retardation” and inserting in place thereof the words “Developmental Services”).

Domestic  
violence.

By the same member, for the same committee, on a petition, a Bill relative to the department of children and families (House, No. 159).

By the same member, for the same committee, on House, No. 137, a Bill for passage to independence (House, No. 4067). Disabled,— independence.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill relative to charitable gaming (printed as Senate, No. 1942) [Senator Ross dissenting]. Charitable gaming.

By Mr. Sannicandro of Ashland, for the committee on Higher Education, on a petition, a Bill relative to breaking generational cycles of poverty (House, No. 3956). Poverty.

By Ms. Peake of Provincetown, for the committee Municipalities and Regional Government, on House, No. 1859, a Bill promoting the planning and development of sustainable communities (House, No. 4065) [Representatives Durant of Spencer and Kuros of Uxbridge dissenting]. Sustainable communities.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the Department of Capital Asset Management and Maintenance to lease certain land in the town of Hull to The Friends of the Paragon Carousel, Inc. (House, No. 3320). Hull,— land.

By the same member, for the same committee, on a petition, a Bill allowing for the appointment of designees to the Inspector General Council (House, No. 3937). Inspector General Council.

By the same member, for the same committee, on a petition, a Bill authorizing the conveyance of certain land in the city of Holyoke (House, No. 4033). Holyoke,— land.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 19 and a part of House, No. 17, a Bill relative to motor vehicles and aircraft (House, No. 19). Motor vehicles and aircraft.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to the Pathfinder Regional Vocational-Technical High School (House, No. 3941). Pathfinder Regional School.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the naming of the Stephen M. Brewer fishing area (House, No. 4032). Stephen Brewer fishing area.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill establishing a district to operate a regional public safety communications and dispatch center for the city known as the city of Revere and the town of Winthrop (House, No. 3936) [Local Approval Received]. Revere and Winthrop,— dispatch center.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Amending the charter of the city known as the town of Greenfield (Senate, No. 2103); and Greenfield,— charter.

Further regulating town meeting notices (Senate, No. 2121); Town meetings.

## House bills

- Consumer protection. Relative to protecting consumers of the Commonwealth (House, No. 263, changed);
- Telemarketing. Relative to telemarketing solicitation (House, No. 285);
- Insurance. Relative to Massachusetts Life and Health Insurance Guaranty Association law (House, No. 922);
- Plymouth,—land. Authorizing the town of Plymouth to exchange a parcel of land held for water purposes for a parcel of land in the town of Plymouth (House, No. 3960) [Local Approval Received];
- Holliston,—public works. Authorizing the town of Holliston to establish a department of public works (House, No. 3961) [Local Approval Received];
- Holyoke,—sewer charges. Relative to unpaid sewer use charges in the city of Holyoke (House, No. 3962) [Local Approval Received]; and
- Non-profits,—liquor. To allow non-profits to purchase alcohol from retail package stores for charitable events (House, No. 4060);
- Severally placed in the Orders of the Day for the next sitting for a second reading.

*Engrossed Bills.*

## Engrossed bills

- Bills enacted. To prevent shackling and promote safe pregnancies for female inmates (see Senate, No. 2063);
- Establishing a sick leave bank for Michael J. Donoghue, an employee of the Norfolk County Sheriff's Office (see Senate, No. 2067);
- (Which severally originated in Senate);
- Relative to strengthening campaign finance reporting requirements (see House, No. 3760, amended);
- Establishing a sick leave bank for Christine Green, an employee of the Department of Mental Health (see House, No. 3957, amended); and
- Providing for the terms of certain bonds to be issued by the Commonwealth for the improvement, expansion and development of military installations (see House bill printed in House, No. 3982);
- (Which severally originated in the House);
- In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

## Engrossed bills

- Id. Authorizing the town of Oakham to continue the employment of Fire Chief Thomas Snay (see Senate, No. 1999) (which originated in the Senate);
- Designating a certain pedestrian bridge in the city of Boston as the Frances "Fanny" Appleton Bridge (see House, No. 2904); and
- Authorizing the town of Dedham to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3614, amended);
- (Which severally originated in the House);
- Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and it were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

The Senate Bill to provide for sewer commissioners in the town of Wareham (Senate, No. 1856), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third  
reading  
bill.

*Recess.*

At thirteen minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at three minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

*Reports of Committees.*

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4069) (for order, see House, No. 4070), ought to be adopted. The order was considered forthwith; and it was adopted.

Supplemental  
appropriations,—  
procedures.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 4049, reported, in part, a Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4069) [Total appropriation: \$144,679,336.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental  
appropriations.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Wednesday next at twelve o'clock noon.

Next  
sitting.

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At ten minutes after twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at twelve o'clock noon.